

# Trademark Opposition

A trademark opposition occurs when a third party objects to your trademark application after its publication in the Trademark Journal. Opposition may arise if the opposing party believes that the new trademark is identical or similar to their existing one and may cause confusion among consumers.

## Grounds for Trademark Opposition

- **Similarity to an Existing Trademark** – If the proposed trademark is too similar to a registered trademark.
- **Lack of Distinctiveness** – If the trademark is generic or descriptive and lacks uniqueness.
- **Bad Faith Registration** – If the application was made with dishonest intent, such as copying a well-known brand.
- **Violation of Public Order or Morality** – If the mark is offensive or against legal principles.

## Process of Trademark Opposition

1. **Notice of Opposition** – The opposing party files a notice within four months of the trademark's publication.
2. **Counter-Statement** – The applicant must respond within two months defending their trademark.
3. **Evidence Submission** – Both parties submit evidence to support their claims.
4. **Hearing** – If needed, a hearing is scheduled for oral arguments.
5. **Decision** – The Trademark Registrar reviews the case and issues a final ruling.

## How to Handle a Trademark Opposition?

- **Consult Legal Experts** – Professional guidance helps in drafting a strong counter-statement.
- **Gather Strong Evidence** – Proof of trademark use, uniqueness, and distinctiveness strengthens your case.
- **Negotiate or Settle** – In some cases, resolving disputes amicably can be beneficial.

Our outsource team provides strong legal representation and strategic responses to help you secure your trademark successfully.